



Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

Hearing Date/Agenda Number:

P.C. 11/18/02      Item:

File Number:

GP02-08-01/GPT02-08-01a

Council District and SNI Area:

8 – N/A

Major Thoroughfares Map Number:

101

Assessor's Parcel Number(s):

659-03-011 & 12, 659-02-006

Project Manager: Mike Mena

## GENERAL PLAN REPORT

2002 Fall Hearing

### PROJECT DESCRIPTION:

General Plan amendment request to change the San Jose 2020 General Plan Land Use/Transportation Diagram designation from Campus Industrial to Public Park/Open Space on approximately 4.6 acres and realign a radial-collector street (Altia Avenue) to allow for the consolidation of Fowler Creek Park and an associated Text amendment to reflect the proposed land use amendment.

### LOCATION:

East of Altia Avenue and south of the terminus of Michelangelo Drive.

### ACREAGE:

4.6 acres

### APPLICANT/OWNER:

Staff/City of San Jose

### GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Campus Industrial

Proposed Designation: Public Park/Open Space (Evergreen Planned Residential Community)

Other General Plan Changes: Realign a Radial Collector (Altia Avenue) and Text amendments to reflect the land use changes to the Evergreen Specific Plan.

**EXISTING ZONING DISTRICT(S):** A(PD), A(PD) Evergreen Specific Plan

### SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Vacant – Carriage Homes, Townhomes (Evergreen Planned Residential Community), Campus Industrial

South: Single-Family Residential, Chaboya Middle School – Single-Family Residential 7,000-8,000 Square Foot lots, Public Facilities (Evergreen Planned Residential Community)

East: Vacant – Campus Industrial

West: Vacant – Public Park/Open Space (Evergreen Planned Residential Community)

**ENVIRONMENTAL REVIEW STATUS:** Negative Declaration adopted on August 7, 2002 (MND Protest Pending).

### PLANNING STAFF RECOMMENDATION:

Public Park/Open Space on an approximately 4.6-acre site, realign Altia Avenue and adopt the proposed Text amendments to the Evergreen Specific Plan.

Approved by:

Date:

### PLANNING COMMISSION RECOMMENDATION:

**CITY COUNCIL ACTION:****CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:**

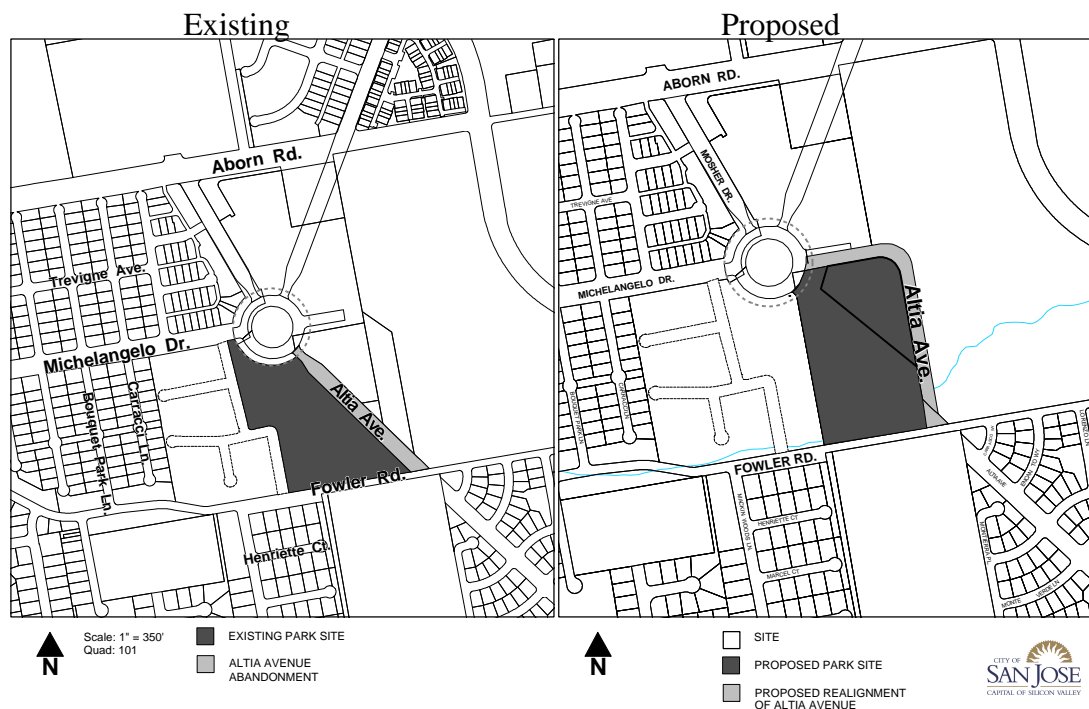
- Parks, Recreation and Neighborhood Services (PRNS) – This proposed amendment change would allow development of Fowler Creek Park to proceed on land currently owned by the City. PRNS is currently in the process of developing a conceptual design for Fowler Creek Park.
- Department of Transportation (DOT) – This General Plan amendment is exempt from the requirement for a traffic analysis.
- Public Works, Development Services Division – The subject amendment site is not located within any known flood or hazard zones, nor does the amendment pose any major access constraints. In addition, the subject site currently has adequate sanitary and sewer capacity to service the proposed General Plan amendment.

**GENERAL CORRESPONDENCE:**

Crosby, Heafey, Roach and May Attorneys At Law, April 11, 2002 – This letter summarizes the concerns of Shapell Industries, Inc. as to a meeting which occurred on January 29, 2002 with Planning staff (see attached letter for details).

**ANALYSIS AND RECOMMENDATIONS:****PROJECT DESCRIPTION**

This is a staff initiated General Plan amendment to change the General Plan Land Use/Transportation Diagram designation from Campus Industrial to Public Park/Open Space on an approximately 4.6 acre site (City owned) located east of Altia Avenue and south of the terminus of Michelangelo Drive. The site is located on the eastern border of the Evergreen Planned Residential Community and is adjacent to the currently designated Fowler Creek Park site. The subject amendment also proposes the realignment of Altia Avenue to follow the northern and eastern boundaries of the City owned property rather than bisect the proposed park site (see figure below).



The proposed land use amendment also includes an associated text amendment to the Evergreen Specific Plan to reflect the land use changes described above.

## **BACKGROUND**

The City currently owns approximately 12-acres of land along Fowler Road where a community park was planned for in 1988 as part of the Fowler Creek Park Master Plan. Through the development of the Evergreen Specific Plan (ESP) in 1992, the configuration of the planned Fowler Creek Park was altered in order to conform to the Specific Plan's radial street pattern (Altia Avenue) and to incorporate a prominent knoll into the park boundaries. As a result, a portion of the planned park was located on privately owned property with the intent to complete land ownership exchanges necessary to create the whole park site. In addition, a portion of the City-owned property (previously designated for a park) was designated Campus Industrial. Development of the park according to the ESP has yet to occur because negotiations between the affected property owners to complete "land swaps" have not been successful. Due to the inability of the property owners to come to an agreement, the City of San Jose is now considering to proceed with the development of the Fowler Creek Park in its original configuration. This amendment facilitates this alternative park location. The Department of Parks, Recreation and Neighborhood Services is currently working with the community to determine potential recreational amenities for the Fowler Creek Park.

## **ANALYSIS**

### **Existing and Surrounding Land Uses**

The subject site is currently an abandoned orchard and is vacant. Properties to the north, east and west are also vacant and planned for urban development. Properties located northerly and easterly of the site are planned for Campus Industrial uses. Uses to the south consist of existing single-family residences and the Chaboya Middle School. The subject amendment site is adjacent to the Evergreen Specific Plan's eastern boundary and is currently designated by the San Jose 2020 General Plan as Campus Industrial.

### **Land Use Compatibility**

The proposed amendment is compatible with existing and planned uses surrounding the site. The subject amendment site consists of the eastern portions of two City owned properties, of which the remaining western portions are currently planned for the development of Fowler Creek Park. The subject site is also surrounded by existing and planned urban development, which consist of townhomes, carriage homes, single-family residences and is within walking distance of two public schools (Evergreen Elementary School and Chaboya Middle School) and planned campus industrial uses to the east.

The proposed realignment of Altia Avenue to border the northern and eastern portions of the City owned property would provide an identifiable boundary between the planned park and the planned Campus Industrial area to the east of the site. Although some forms of industrial development may not be wholly suitable to located adjacent to a planned or existing park, Campus Industrial development is held to higher and more stringent design standards, which would reduce potential interface incompatibilities. The Campus Industrial designation is designed to take advantage of natural topographical features and incorporate substantial amounts of landscaped and natural open space, furthering the compatibility of the park use and the planned industrial uses.

## **Policy Consistency**

The subject General Plan amendment is consistent with several San Jose 2020 General Plan goals and policies and those of the Evergreen Specific Plan, which strive to enhance the quality of life of San Jose's residents. Urban Conservation Policy #1 states that the City should strive to create an environment in which the highest value is placed on people through the design review process and in designing service and capital facility programs. In addition, the City should encourage new development, which enhances the desirable qualities of the community and existing neighborhoods. The development of Fowler Creek Park on the subject properties is consistent with the City's goal to enhance the desirability of the Evergreen area. The proposed amendment is also consistent with Neighborhood Identity Policy #4 to include places for interaction among residents such as parks, community centers, schools, commercial areas, churches, and other gathering points.

Public parks and recreation areas are an important and necessary element of the urban community, providing for many of its open space and leisure activity needs. The proposed amendment is consistent with the City's goal to provide a sufficient supply of park land and open space to enhance the livability and the social and environmental quality of a city. The proposed amendment would help to facilitate efforts to develop a park in the Evergreen area.

The proposed amendment request to change the land use designation from Campus Industrial to Public Park/Open Space would eliminate the necessity to require a "Land Exchange" as part of the development of Fowler Creek Park. Therefore, the subject amendment includes a proposed text amendment to the Evergreen Specific Plan in order to eliminate reference to the requirement of a "Land Exchange" and to reflect the proposed land use amendment. The subject text proposed to be amended is attached.

## **Citywide Policy Issues**

The subject amendment proposes changing approximately 4.6 acres of land designated for Campus Industrial uses to Public Park/Open Space to provide the community with the planned park. Public parks and recreation areas are an important and necessary element of the urban community, providing for many of its open space and leisure activity needs. A sufficient supply of park land and open space is important to enhance the livability and the social and environmental quality of a city.

## **Environmental Issues**

A Mitigated Negative Declaration (MND) was to be adopted on August 7, 2002; however, an adjacent property owner formally protested the MND.

## **PUBLIC OUTREACH**

The property owners within the project boundaries and/or property owners within a 1000-foot radius were sent a newsletter regarding the two community meetings that were held on October 8 and 10, 2002. They also received a hearing notice of the public hearings to be held on the subject amendment before the Planning Commission in August and City Council in September. In addition, the Department's web-site contains information regarding the General Plan process, amendments, staff reports, and hearing schedule. This site is used by the community to keep informed with the status of the amendments.

## **RECOMMENDATION**

Staff recommends Public Park/Open Space, the alignment of Altia Avenue and the adoption of the proposed text amendment(s) to the Evergreen Specific Plan.

## **Attachments**

\\PBCE002\GP\_Team\2002 Annual Review\Staff Reports\Fall Review\GP02-08-01a\_Fall.sr.doc

## Proposed Evergreen Specific Plan Text Amendments

Amend the Evergreen Specific Plan; Chapter 5, The Plan; Land Use Plan, Public Facilities/Open Space as follows:

1. **Pg. 5-3, paragraph 5:** The Evergreen Specific Plan designates two new elementary school sites within the plan area, ~~as well as reconfiguring the boundaries of the Fowler Creek Park to take advantage of the circulation pattern of the plan.~~ In addition, the land use plan also specifies the future high school site at the corner of Ruby Avenue and Quimby Road as well as the existing Chaboya Middle School along Fowler Road.

Amend the Evergreen Specific Plan; Chapter 7, Major Parks and Recreational Amenities; Recreational Amenities, Fowler Creek Park as follows:

2. **Pg. 7-2, paragraph 1 and 2:** The City of San Jose currently owns approximately 12 acres of land along Fowler Road for a future community park. Although the City has developed a master plan for the park, the actual construction of the park has not been funded. ~~The Evergreen Specific Plan proposes to reconfigure the park boundaries (Exhibit 13) to conform with the Specific Plan's radial street pattern and to incorporate a prominent knoll into the park boundaries. The reconfigured park could should accommodate the park amenities outlined in the City's original Fowler Creek Master Plan such as the swim center, tennis courts, informal turfed play area, tot lot, picnic area, and the community center, described below. The community center has been sited atop the knoll and overlooks the amphitheater and the Fowler Creek Park rotary.~~

~~Although the reconfigured~~ Fowler Creek Park conforms with the uses and facilities outlined in the original Fowler Creek Park Master Plan, it should be pointed out that the adoption of the Evergreen Specific Plan does not amend the Fowler Creek Master Plan. A separate review process under the direction of the City of San Jose Recreation, Parks and Community Service Department will be necessary to amend the master plan.

Amend the Evergreen Specific Plan; Chapter 7, Major Parks and Recreational Amenities; Public Buildings, Fowler Creek Community Center as follows:

3. **Pg. 7-2, paragraph 6:**  
**Fowler Creek Park Community Center (Exhibit 15)**

~~Fowler Creek Park has been reconfigured to incorporate a small hill at its northern apex. The location of the community center is sited atop this hill within the Fowler Creek Park site will be determined through the specific site planning of the park.~~ Building proportions should accent the vertical, and spire, cupola, or finial rises from the top. Detailed plaster, cast concrete and steeply pitched flat tiled roofs will reinforce the Evergreen architectural identity. To the northeast-facing Fowler rotary, an amphitheater and bandstand extend the building form ~~down the hill, and~~ accentuating its height.

## Proposed Evergreen Specific Plan Text Amendments

Amend the Evergreen Specific Plan; Chapter 10, Implementation; Land Exchanges within the Specific Plan Area as follows:

4. **Pg. 10-2, paragraph 6:** ~~Exchanges affecting the reconfiguration of Fowler Creek Park and the campus industrial properties. This exchange affects parcels 28, 34, 35, 36 and the adjoining campus industrial parcel 48.~~

Amend the Evergreen Specific Plan; Chapter 10, Implementation; Funding Strategy as follows:

5. **Pg. 10-11, paragraph 5:**  
Fowler Creek Park

The Evergreen Specific Plan has identified its proportional share of impact on the facilities that will be provided in the Fowler Creek Park. (The City of San Jose currently owns the site, ~~which will be reconfigured through land exchanges~~). The Evergreen Specific Plan will contribute approximately \$5.3 million toward the construction of the Fowler Creek Park and provide other parks and open space amenities in lieu of the payment of the City of San Jose Parkland Dedication fees.

6. **A global change to the General Plan Land Use/Transportation Diagram and Exhibits within the Evergreen Specific Plan to reflect the conceptual realignment of Altia Avenue and the proposed land use exchange abandonment between properties 34, 35, 36 and 48 as identified in Exhibit 78 of the Evergreen Specific Plan document.**